

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

6984
9883

FILE:

B-192627

DATE: April 19, 1979

MATTER OF:

Trionic Industries, Inc.

DLG 00077

DIGEST:

IProtest

Protest regarding propriety of solicitation provision and rejection of bid as nonresponsive] to solicitation is rendered moot by procuring activity's cancellation of solicitation.

Trionic Industries, Inc. (Trionic), protested against the rejection of its bid under invitation for bids (IFB) N00104-78-B-0552 issued by the Department of the Navy (Navy), Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania, for canvas bag weights to be used for garbage and trash disposal units on submarines.

AGC 00238

In examining Trionic's apparent low bid, the Navy contracting officer discovered several handwritten notations on the bid form concerning freight differentials for rail shipment. [The Navy determined that these notations constituted a qualification of Trionic's bid price which rendered the bid non-responsive] to the IFB. Trionic was so advised, during a meeting with Navy personnel on August 14, 1978, and filed its protest with our Office on the same day.

and filed a protest

[Award of the contract was withheld pending resolution of the protest. However, the Navy subsequently canceled the solicitation in its entirety. The in accordance with Defense Acquisition Regulation § 2-404.1(b)(viii) (1976 ed.) by Amendment No. 0002 effective on March 6, 1979. Cancellation of the solicitation renders Trionic's protest against the rejection of its bid moot. See Suburban Industrial Maintenance Company, B-185515, March 24, 1976, 76-1 CPD 193; Young Engineering Systems, B-189322, July 11, 1977, 77-2 CPD 15. The protest is therefore dismissed.

Cancellation

Milton J. Socolar
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General Counsel

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